The Substance of the Bill against Clandestine Trade *which concerns* Merchants.

1. SETS forth, That all Foreign Ships hovering, or in the Limits of any Port, tho' bound elsewhere, having Foreign Goods on board, and shall remain in the Limits of any Port, Wind and Weather permitting to pursue the Voyage, the Master shall declare on Oath the whole Loading, where Consigned, and who are Proprietors; and on Refusal, to make such Oath, such Refusal shall be Construed to make an Importation thereof; and the said Goods shall be obliged to pay the Duties, or be liable to be seized as Prohibited Goods.

2. Every Person, making Entries at the *Custom-House*, shall be obliged to make Oath, That he believes all the Goods that he so enters, are of the Country of which he enters the same; otherwise, to be liable to pay the highest Duties for that sort of Goods, as that sort of Goods pays from any Country whatsoever.

3. All Wines to be Imported in certain Casks, that shall contain netheir more nor less than the *Aliquot* Parts of a Tun, accounting the Tun 252 Gallons, the Butt, or Pipe, not exceeding 126 Gallons, the Puncheon 84 Gallons, the Hogshead 63 Gallons, the Tearce 42 Gallons, the Quarter Cask 31 Gallons and $\frac{1}{2}$ on Penalty of, *&c.*

4. Masters of Ships, in Ballast, to make Oath he brought no Goods, nor was any Goods deliver'd out of his Ship in his Voyage; and if he be found to prevaricate, the Ship to be Forfeited.

REASONS Humbly Offer'd againſt ſeveral Clauſes in the BILL

1. THIS is humbly conceived to be againſt the Law of Nations: And if it be conſider'd, how frequent it is for Foreign Ships to lie in the *Downs*, and other Limits of our Ports, for other Reaſons than being Wind-bound, *viz.* for Orders, and many other Accidents that Shipping is lyable to; the Queſtion need not to have been (if they had Foreign Goods on board) as if the Clauſe intended to eaſe ſome Foreign Ships; but it is moſt certain, That all Foreign Ships have Foreign Goods on board, and therefore are all obliged to diſcover their Secrets of their Voyage on Oath, or be liable to Forfeiture.

If this paſs into a Law, it will give a Liberty to the Officers of the Cuſtoms to inſult Strangers, tho' never ſo innocent, and conſequently we muſt expect the like Uſage all the World over.

Note, *All Ports, Roads, and Harbours hitherto, have been free to Foreigners in Amity, to come into, to go out of, or remain as long as their Occaſions require.*

2. This Clauſe lays the Streſs upon the Oath of the Importer, and will be ſo far from preventing *Clandeſtine Trading*, that it will encourage the ſame, *viz.* Suppoſing an Ill Dealer, that values not his Oath, Imports 100 Tun of *French* Wines, and enters it, and ſwears it's of any other Country, he then pays 3000 *l.* leſs than the Fair Dealer, that will not make ſuch Oath.

3. This Clauſe is to oblige a Merchant to that which is not poſſible for him to perform, there being no Cask made now in *Europe* ſo exact, neither is it in the Power of Merchants, to oblige Princes and States to alter their Casks ſettled by their Laws; and if ſuch a Clauſe ſhould paſs into a Law, they ſhall be neceſſitated to give over Trade.

4. This Clauſe ſubjects the Forfeiture of the Ship, for the Act of the Maſter or Seamen, though they have not any property in her, and will diſcourage Merchants to build, or bear any part in Shipping.